

**REMARKS/ARGUMENTS:**

For context, relevant prosecution history of the above-referenced U.S. Patent Application is summarized. Following a decision by the Board of Patent Appeals and Interferences favorable to the Applicant, the Examiner re-opened prosecution and issued a non-final Office Action dated November 20<sup>th</sup>, 2003 (paper 19). The Applicant filed on January 23<sup>rd</sup>, 2004 a first petition for withdrawal of that November 20<sup>th</sup>, 2003 Office Action, which was granted on April 20<sup>th</sup>, 2004 (paper 21). The Examiner issued another non-final Office Action dated May 5<sup>th</sup>, 2004 (paper 22), to which the Applicant responded with two items: on May 20<sup>th</sup>, 2004 the Applicant filed a second petition for withdrawal of the May 5<sup>th</sup>, 2004 Office Action; and on August 2<sup>nd</sup>, 2004 the Applicant filed a Response to the May 5<sup>th</sup>, 2004 Office Action. A decision on the second petition issued on September 22<sup>nd</sup>, 2005, denying withdrawal of the May 5<sup>th</sup>, 2004 Office Action. This leaves the Applicant's Response dated August 2<sup>nd</sup>, 2004 as the last substantive correspondence in prosecution of this application.

The undersigned representative and the Examiner engaged in a teleconference concerning status but not substance of the subject application, during which the Examiner requested that the Applicant file some Amendment or Response to get this application back into a proper flow within the Patent Office. The undersigned representative herein re-submits (unchanged) the RESPONSE dated August 2<sup>nd</sup>, 2004 as an appendix hereto. The undersigned attests that the Appendix is a true copy of that RESPONSE printed from the PTO's PAIR website. Substantive consideration of the arguments presented therein is respectfully requested.

Given the extended period of time during which this application has been pending, it is further requested that the Examiner grant expedited review. Pending claims 12-19 are seen as patentable over the most recently cited combination of art, and the Applicant requests that the Examiner pass them to issue without further delay. The undersigned representative welcomes the opportunity to resolve any matters that may remain, formal or otherwise, via teleconference at the Examiner's discretion.

Respectfully submitted:

  
Gerald J. Stanton  
Reg. No.: 46,008

March 9, 2006  
\_\_\_\_\_  
Date

Appl. No. 08/987,995  
Amdt. Dated March 9, 2006  
Re-submitted response to Office Action dated May 5, 2004



Customer No.: 29683  
HARRINGTON & SMITH, LLP  
4 Research Drive  
Shelton, CT 06484-6212  
Phone: (203) 925-9400  
Facsimile: (203) 944-0245  
Email: gstanton@hspatent.com

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 9, 2006  
\_\_\_\_\_  
Date

An Orentrwick  
Name of Person Making Deposit